

## REMARKS

### INTRODUCTION

In accordance with the foregoing, claims 1, 3 and 4 have been amended. Claims 2, 14 and 25-27 have been cancelled. Claims 1, 3-13 and 15-24 are pending and under consideration.

### CLAIM REJECTIONS

Claims 1-11, 13-19 and 22-27 were rejected under 35 USC 103(a) as being unpatentable over Ostdiek et al. (US 6,036,241) (hereinafter "Ostdiek") in view of Ramsauer (US 6,550,824) (hereinafter "Ramsauer").

Claims 12, 20 and 21 were rejected under 35 USC 103(a) as being unpatentable over Ostdiek in view of Ramsauer and further in view of Onderka et al. (US 6,145,898) (hereinafter "Onderka").

#### Claims 1-24

Amended claim 1 recites: "...an elastic unit on the second hinge unit which elastically biases the latch in a direction where the latch is locked to the cabinet... when the first lever part of the handle is pulled, the elastic unit is compressed and the second lever part of the handle pushes the third lever part of the latch, allowing the fourth lever part of the latch to be unlocked from the cabinet, and the first lever part is wider and longer than the second lever part." Support for this amendment may be found in at least original claims 2 and 14. The Office Action relies on Ramsauer to show these feature of claim 1.

On page three of the Office Action, the Examiner notes that Ramsauer discusses "an elastic unit 74 biases said second unit in a locked position" to show the elastic unit of claim 1. It is respectfully submitted that claim 1 recites an elastic unit **on** the second hinge unit rather than a pressure spring 74 to press the hook 30 into position.

In the "Response to Arguments" section of the Office Action the Examiner notes that although Ramsauer is directed to a sliding door, Ramsauer still discloses the structures of the present invention as recited in the claims. It is well settled that a proposed a combination that makes a prior art reference inoperable for its intended purpose, the resulting inoperable prior art reference may be considered to teach away from the proposed combination and support a showing of nonobviousness. See *McGinley v. Franklin sports Inc.*, 262 F.3d 1339, 60 USPQ2d 1001 (Fed. Cir. 2001). In the present case, the disclosure of Ramsauer is directed to providing a

handle, the orientation of which with respect to the movement direction of the sliding door does not change for the user's hand during the process of swiveling because the handle does not rotate with respect to this direction but, rather, is only swiveled and pushed in this direction substantially parallel to the door leaf. In Ramsauer, the actuating force accordingly acts vertically to the extension of the handle and there is no danger of the hand slipping off of the handle. See Ramsauer, 2:48-2:56. The Office Action combines Ramsauer with Ostdiek, which shows a washing machine having a hinged front door 8. If the snap catch of Ramsauer were installed on the hinged front door 8 of Ostdiek, a user **pushing** the handle 20 of Ramsauer would not open the front door 8 of Ostdiek because the front is hinged and a pulling action is required. Claim 1 recites that when the first lever part of the handle is **pulled**, the elastic unit is compressed and the second lever part of the handle pushes the third lever part of the latch, which in turn allows for the door to be opened. Accordingly, it is respectfully submitted that a snap closure for use in a sliding door would not show a latch mechanism for a hinged door.

It is further respectfully submitted that it is an object of Ramsauer to provide a snap lock that does not include a hook-shaped handle on which a user's clothes can catch. See Ramsauer, 2:26-2:48. The handle of claim 1 includes a first lever part that is wider and longer than the second lever part, i.e. the type of handle that Ramsauer is teaching against. In Ramsauer, the handle is described as a round bar 32.

For the foregoing reasons, it is respectfully submitted claim 1 patentably distinguishes over the relied upon references. Claims 2 and 14 have been cancelled. Claims 3-13 and 15-24 depend on claim 1 and are therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejections is requested.

**Claims 25-27**

Claims 25-27 have been cancelled.

**CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: Oct 19, 2007

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